

STATEMENT OF REP. JOHN CONYERS, JR.
Courts, the Internet, and Intellectual Property Subcommittee
Hearing on “Derivative Rights, Moral Rights, and
Movie Filtering Technology”
Thursday, May 20, 2004

Make no mistake about it, today’s hearing is an abuse of process and is about nothing less than censoring the movie industry.

At the outset, I am embarrassed we are having this hearing. The Republicans know full well that the directors and ClearPlay are engaged in settlement negotiations to resolve a lawsuit over copyrights; they are using this hearing to pressure the directors and help the other side. In my tenure in Congress, this is the first time I can remember having a one-sided hearing involving on-going settlement talks. Our hearings should be reserved for public policy debates, not for strong-arming private litigants.

It is more troubling considering that we are here to continue the Republican assault on the First Amendment and media content. In the past few months, we’ve seen Republican overreaction to a televised Superbowl stunt and to radio broadcasts. Now the self-proclaimed moral majority is turning to movies.

Censoring filmmakers would diminish the nature of this medium. Let us not forget that *Schindler’s List* was on broadcast television completely uncut. The movie studio and the broadcasters knew the film could not convey its feeling and authenticity if it was edited. Despite this, the movie has been edited by censors to make the Nazis appear merely mischievous. *Traffic*, an acclaimed anti-drug movie, has been edited in a way that makes drug use appear glamorous.

This is not to say that movie fans should be forced to watch the latest Quentin Tarantino movie. People looking for family-friendly fare have countless choices. Parents are inundated with commercials for the latest children’s movies; over the past several years, Hollywood has increased its output of G- and PG-rated films. Newspaper reviewers make specific

mention of family-friendly films. Finally, organizations like Focus on the Family provide information on movies for parents who seek it. In short, there are options.

There is a simple solution to this problem. It is a market-based solution that conservatives should like. If a family finds a particular DVD offensive, it should not buy it.

I hope this is not the type of democracy, one of strong-arm government and censorship, that our Republican colleagues want to take to Iraq.